

DID YOU KNOW:

Victims' Economic Security and Safety Act (VESSA): Effective August 25,2003

The Victim's Economic Security and Safety Act (VESSA) provides that employers (defined as the State or any agency of the State; any unit of local government or school district; or any person that employs at least 50 employees) may not discharge or discriminate against an employee who is a victim of domestic violence or who has a family or household member who is a victim of domestic violence, for taking up to a total of 12 workweeks of leave from work during any 12-month period to address the domestic violence.

This Act prohibits employers from discharging, discriminating, or retaliating against a person taking leave from work as a result of domestic violence to: seek medical attention or counseling for injuries or psychological trauma, obtain victim services, relocate, seek legal assistance or participate in a related court proceeding.

The employer may require the employee to provide certification to the employer. The employer is not required to provide paid leave under this Act, but may not suspend benefits during the leave period.

THIS MEANS:

Employees may take unpaid leave from work to address domestic or sexual violence issues that effect them, their family or household member (a household member need not be a blood relative or a person of the opposite gender) by:

- ◆ Seeking medical attention for physical or psychological injuries caused by domestic or sexual violence.
- ◆ Obtaining services from a victim services organization.
- ◆ Obtaining psychological or other counseling.
- ◆ Participating in safety planning, temporarily or permanently relocating or taking other actions to increase their safety.
- ◆ Seeking legal assistance or remedies necessary to ensure health and safety.

The employer must provide reasonable accommodations required by an affected employee, which could include:

- ◆ An adjustment to a job, structure or workplace facility.
- ◆ A change to work requirements including transfer, reassignment or modified schedule or leave.
- ◆ A changed telephone number or seating assignment.

The employer may require the employee to provide certification that the employee or the employee's family or household member is a victim of domestic or sexual violence and that the requested leave is for one of the purposes covered under the law. The employee is required to provide certification within a reasonable period following the employers' request.

Certification includes:

- ◆ Documentation from an employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy or a medical professional from whom the employee or household member has sought assistance
- ◆ A police or court record
- ◆ Other corroborating evidence

Sources: Illinois Department of Labor; (Business to Business 12/03).

For more information, contact the Illinois Department of Labor; 160 North LaSalle Street, Suite 1300; Chicago, Illinois 60601; (312) 793-6797